

LISTED ON 02.04.2014

COURT NO.

ITEM NO.

SEC-IVA

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 1930, 1931, 1932 OF 2012

WITH

CONTEMPT PETITION NOS. ....OF 2012 (D.No. 27836/2012) & (D.No. 27891/2012)

And

INTERLOCUTORY APPLICATION NO.  
(Application for intervention)

B. Anjanappa & Ors. Etc.

... Appellants

Versus

Vyalikaval House Building Co-operative  
Society Limited & Ors.

... Respondents

OFFICE REPORT

The matters above mentioned were listed before the Hon'ble Court on 9.1.2014 with an office report dated 8.1.2014, when the Hon'ble Court was pleased to pass the following Order :

'I.A. Nos. 4 & 7 OF 2013

Learned senior counsel appearing for the applicant(s) on instructions, seeks permission of this Court to withdraw these applications with liberty to approach an appropriate forum for appropriate relief (s).

Permission sought for is granted. I.A. Nos. 4 & 7 are disposed of as withdrawn with liberty as prayed for.

I.A. Nos. 5 & 6 of 2013

Dismissed.

I.A. No.....-Appln. for substitution and directions and c/delay in filing substitution appln.

Learned counsel appearing for the applicant(s), on instructions, seeks permission of this Court to withdraw these application(s).

Permission sought for is granted and the application(s) are disposed of as withdrawn.

List the matters on 27.03.2014 at 3.00 p.m."

It is submitted that the appeals above-mentioned were allowed by this Hon'ble Court, by order dated 7.2.2012, inter-alia, directing :

"If respondent No.1 is in possession of the acquired land or any portion thereof, then the same shall be returned to the concerned landowners within a period of two months from today. This direction shall apply not only qua the appellants but other landowners who may not have filed writ appeals or the special leave petitions, may be due to poverty, illiteracy or ignorance.

However, it is made clear that the above mentioned directions shall not apply to such of the landowners who have withdrawn the special leave petitions.

If any of the landowners has received compensation from the State, then the latter shall be free to recover the same in accordance with law.

Respondent No. 1 is directed to submit a report to this Court within three months showing compliance of the aforementioned directions. The Registry shall then list the matter before the Bench."

In pursuance of the above directions, the compliance report was filed by the Society-Respondent No.1 on 7.5.2012.

It is further submitted that Ms. Kiran Suri, Counsel for the appellants has filed common contempt petitions in CA Nos. 1930-1932, 2086-2087/2004, and SLP(C) Nos. 12104-12107/1991 and the same is defective for the following reasons :-

(I) The contempt petitions above mentioned have been filed allegedly for the willful disobedience of the Court's orders dated 7.2.2012, 2.2.2007 and 21.2.1995 passed by this Hon'ble Court in C.A. Nos. 1930-1931/2012, C.A. Nos. 2086-87 /2004 SLP(c)No. 12104-12107/1991, wherefor the Ld. Counsel ought to have filed separate contempt petitions. However, she has filed common contempt petitions in the above mentioned matters.

(II) Paper books of Civil Appeal Nos. 2086-87/2004, and SLP(C) No. 12104-07/1991 and Contempt Petition in SLP(C) No. 12104-12107/1991 have not been filed by the Ld. Counsel.

(III) Detailed Cause Title of the appeals above-mentioned has not been filed by the Ld. Counsel.

The Ld. Counsel was, therefore, requested vide Registry's letter dated 30.1.2013 to cure the above defects . However, she has failed

to do so. As regards defect pointed out at Sl. No. 2 above, the Ld. Counsel has filed a letter on 5.10.2012 stating that paper books are not necessary to be produced with the contempt petitions.

On scrutiny, though the contempt petitions above mentioned were found to be defective, the same are being placed before this Hon'ble Court in compliance of the Order dated 4.2.2013.

It is also submitted that Mrs. Kiran Suri, Advocate has on 4.7.2013 filed an affidavit in Contempt Petition (D) No. 27891/2012 (copy of the same has been included in the paper books) .

It is lastly submitted that Mr. B.S.Prasad, Advocate has on 15.3.2014 filed an application for intervention and the same has been registered as I.A. No. 8 and placed with the appeal paper books.

The matters above mentioned are listed before the Hon'ble Court with this office report.

Dated this the 26<sup>th</sup> day of March, 2014.

ASSISTANT REGISTRAR

Copy to: Ms. Kiran Suri, Advocate  
Mr. S.N. Bhat, Advocate  
Mr. V.N. Raghupathy, advocate  
Mr. Rajesh Mahale, advocate  
Mr. D.B. Vohra, advocate for petitioner no.2  
Mr. B.S.Prasad, Advocate

ASSISTANT REGISTRAR

SK/-